

REMARKS

In response to the Office Action dated December 23, 2008, Applicant requests consideration of the foregoing amendments and the following remarks. Claim 13 is amended, and claim 5 is cancelled. Claims 1-4 and 6-12 were previously cancelled. Claims 13-15 are currently pending in the application. No new matter has been added by virtue of the amendments.

I. Claim Rejections - 35 U.S.C. § 112

Claim 5:

Claim 5 is rejected under 35 U.S.C. 112, first paragraph, and under 35 U.S.C. 112, second paragraph. Applicant has cancelled claim 5, and therefore this rejection is moot.

Claims 13-15:

Claims 13-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. More particularly, the Office Action states that the preambles indicate that the claims are directed to a method of searching digital communication signals, although the bodies of the claims do not make it clear how this search is performed.

Applicant has amended claim 13 in a manner that Applicant believes to overcome this rejection. Amendments to claim 13 are supported in the originally-filed application at least in paragraphs [0049], [0079], and [0080]. Accordingly, Applicant requests that the rejection be reconsidered and withdrawn, and that claims 13-15 be allowed.

II. Claim Rejection - 35 U.S.C. § 101

Claim 5 is rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicant has cancelled claim 5, and therefore this rejection is moot.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (480) 385-5060. If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-2091 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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